

Appl. No.: 09/857,078

Group Art Unit: 1616

Applicants' Reply to the Office Action mailed August 19, 2004

REMARKS

Claims 10-20, 23-26 and 28-30 are currently pending in the instant application.

Claims 10-20 stand allowed and claims 27 and 28, while objected to as being dependent upon a rejected base claim, would be allowable if rewritten in independent form.

Claims 21, 22 and 27 have been canceled without prejudice to the filing of one or more continuing applications directed thereto. Claims 23, 29 and 30 have been amended herein to incorporate the subject matter of allowable claim 27. No new matter has been introduced. Support for the amendments can be found in the Specification and original claims. Applicants submit that no fees for additional claims are due. A complete listing of all claims ever presented is included herein in accordance with 37 C.F.R. §1.121(c). Entry of the amendments is therefore proper and respectfully requested.

In the Office Action, the Examiner maintains the rejections of claims 21 and 22 under 35 U.S.C. §102(b), as being anticipated by Cremlyn or Ramirez, essentially for the reasons of record set forth in the previous Office Actions. Additionally, the Examiner rejects claims 21 and 22 under 35 U.S.C. §102(b), as being anticipated by both Japanese Patent Publication No. JP 49-108065 ("JP '065") and Japanese Patent Publication No. JP 52-102441 ("JP '441"). In the Office Action, claims 21 and 22 are also rejected under 35 U.S.C. §102(b), as being anticipated by U.S. Pat. No. 3,974,188 of Kudo, *et al.* (hereinafter referred to as "Kudo"). Finally, the Examiner also rejects claims 21-23 under 35 U.S.C. §102(b), as being anticipated by Watanabe, *et al.*, "Protection of Phosphate with the 9-Fluororenylmethyl Group. Synthesis of unsaturated-acyl phosphatidylinositol 4,5-bisphosphate.", *TETRAHEDRON LETTERS*, vol. 35(42), pp. 7407-10, 1997.

In the Office Action, the Examiner maintains the rejection of claims 23-26, 29 and 30 under 35 U.S.C. §103(a), as being unpatentable over Simmonet and Ribier in combination. Additionally, the Examiner rejects claims 24-26, 29 and 30 under 35 U.S.C. §103(a), as being unpatentable over Kudo, Simmonet and Ribier in combination.

While not agreeing with the Examiner's rejections, or the contentions and arguments set forth in support thereof, and specifically reserving the right to proceed with

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continuing applications directed to the subject matter canceled herein, in an effort to expedite prosecution of the instant application, Applicants have canceled claims 21 and 22, without prejudice, and have incorporated the subject matter of claim 27, which the Examiner has indicated is allowable, into independent claims 23, 29 and 30.

As rejected claims 21 and 22 have been canceled and the remaining rejected independent claims (23, 29 and 30) have been amended to incorporate a dependent claim identified as allowable by the Examiner, Applicants respectfully request reconsideration of the currently pending claims by the Examiner and withdrawal of all rejections set forth in the Office Action.


In view of the amendments made herein and the remarks set forth above, Applicants submit that the claims patentably distinguish over the prior art of record and known to Applicants, either alone or in combination. Accordingly, reconsideration, withdrawal of the rejections and a Notice of Allowance for all pending claims are respectfully requested.

Respectfully submitted,

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(Date):

By:


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